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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 DeWAYNE THOMPSON,

12 Plaintiff,

13 v.

14 C. INGWERSON, et al.,

15 Defendants.
16

No. 2:25-CV-0167-WBS-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
18 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion for leave to file a supplemental/
19 amended complaint. See ECF No. 5.

20 The Federal Rules of Civil Procedure provide that a party may amend his or her
21 pleading once as a matter of course within 21 days of serving the pleading or, if the pleading is
22 one to which a responsive pleading is required, within 21 days after service of the responsive
23 pleading, see Fed. R. Civ. P. 15(a)(1)(A), or within 21 days after service of a motion under Rule
24 12(b), (e), or (f) of the rules, whichever time is earlier, see Fed. R. Civ. P. 15(a)(1)(B). In all
25 other situations, a party's pleadings may only be amended upon leave of court or stipulation of all
26 the parties. See Fed. R. Civ. P. 15(a)(2).

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1 Here, no responsive pleading has been filed. Therefore, leave of Court is not
2 necessary and this action now proceeds on Plaintiff's first amended complaint filed on April 14,
3 2025, the sufficiency of which will be addressed separately.

4 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for leave to file a
5 supplemental/amended complaint, ECF No. 5, is denied as unnecessary.

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7 Dated: August 8, 2025

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE